

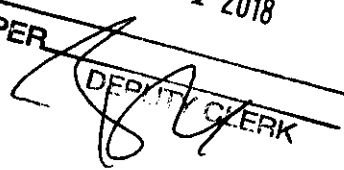


17-cv-1969

COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

February 14, 2018

Peter J. Welsh,
Acting Clerk of Court
U.S. District Court
Middle District
P.O. Box 1148
235 North Washington Avenue
Scranton, PA 18501-1148

FILED
SCRANTON
FEB 21 2018
PER  DEPUTY CLERK

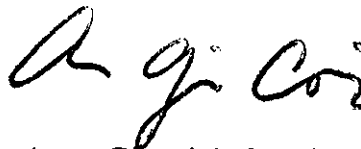
RE: NOTICE OF STAY OF EXECUTION

Dear Mr. Welsh

Please be advised that on February 12, 2018, the Honorable President Judge Margherita Patti-Worthington of the Monroe County Court of Common Pleas issued an Order staying the execution of Charles Ray Hicks, which had been scheduled for March 9, 2018. A copy of the order is enclosed for your information.

If you have any questions, please do not hesitate to contact our office.

Sincerely,



Anne Gingrich Cornick
Deputy General Counsel

Enclosure

**COURT OF COMMON PLEAS OF MONROE COUNTY
FORTY-THIRD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA : No. 391 CRIMINAL 2008

vs.

**CHARLES RAY HICKS,
Defendant**

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:
:
:
:

PCRA

ORDER

AND NOW, this 12th day of February, 2018, upon consideration of Defendant's
Pro Se Petition for Post-Conviction Collateral Relief:

1. Defendant's request to proceed *in forma pauperis* is granted. Upon finding the Defendant is unable to hire private counsel, James A. Swetz, Esq. of 711 Sarah Street, Stroudsburg, PA 18360, phone 570-421-5720 is appointed to represent the Defendant in these proceedings. Counsel shall forthwith file the certificate of qualifications in the Office of the Monroe County Clerk of Court and deliver a copy of same to the Court.

2. Pursuant to Pa.R.Crim.P. 904, counsel for Defendant shall promptly file a written entry of appearance with the Clerk of Courts, and serve a copy on the attorney for the Commonwealth and the Defendant.

3. The Monroe County Public Defender Office shall turn over the entire case file to James A. Swetz, Esq., on or before February 20, 2018.

4. Court Appointed Counsel is granted leave to file an amended petition to cure any defects in the original *pro se* petition, on or before March 22, 2018.

5. The Commonwealth shall file an answer to Defendant's Petition for Post-Conviction Relief on or before April 20, 2018 and serve a copy on Defense Counsel and the Court.

6. Defendant's Motion for Stay of Execution is **GRANTED**. The execution of the Defendant which is presently scheduled for March 9, 2018 is hereby STAYED through the conclusion of all PCRA proceedings, including review in the Supreme Court of Pennsylvania, or the expiration of time for seeking such review.

7. The Clerk of Courts is directed to serve a copy of this Order and underlying Petition upon the attorney for the Commonwealth and PCRA court appointed counsel.

BY THE COURT:



MARGHERITA PATTI-WORTHINGTON, P.J.

cc: E. David Christine, District Attorney
Michael Mancuso, First Assistant District Attorney
James P. Gregor, Chief Public Defender
James A. Swetz, Esq., Court Appointed Counsel
Joseph Fulginiti, Assistant Counsel (Governor's Office of General Counsel)
Court Administration
Prothonotary-Supreme Court of Pennsylvania